

1 HONORABLE RONALD B. LEIGHTON  
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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT TACOMA

10 STEPHEN McCausland,

11 v. Plaintiff,

12 MICHAEL and ELIZABETH LONG, et al,

13 Defendants.

CASE NO. C16-5018RBL

ORDER ON MOTIONS FOR SUMMARY JUDGMENT

14 The Court is presented by dual motions for summary judgment. Plaintiff McCausland  
15 moves for summary judgment on Defendant Michael Long's "Sexual Battery" Counterclaim."  
16 [Dkt. #35]. The Long Defendants move for summary judgment on McCausland's Defamation  
17 and Intentional Infliction of Emotional Distress Claims. [Dkt. #37].

18 The claims stem from two Thanksgiving Day flag football games involving members of  
19 the Sunset Bible Church; one in 2013, the other in 2014. Mike Long alleges that in each game  
20 McCausland grabbed and fondled his penis and testicles. The 2013 grab was ignored. The second  
21 was not.

22 Defendants Mike and Elizabeth Long reported the incidents to the entire Sunset  
23 congregation, complete with recommendations for McCausland's termination, notification to  
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1 Child Protective Services, a sexual offender evaluation (including a polygraph) and a warning to  
2 the Church's youth.

3 This tragic tale is steeped in enmity borne out of behavior that was accidental or  
4 intentional, misunderstood or "called out" for what it was. Such questions are inherently factual  
5 and depend on the credibility of the participants. Such questions fall squarely within the purview  
6 of the jury. Summary Judgment is inappropriate in such a factually rich story.

7 The Motions [Dkt. #35 and #37] are **DENIED**.

8 IT IS SO ORDERED.

9 Dated this 2<sup>nd</sup> day of January, 2018.

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11 Ronald B. Leighton

12 Ronald B. Leighton  
13 United States District Judge

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